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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/619,610

07/16/2003

Takeshi Satomi

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6528

7590

12/15/2004

Finnegan, Henderson, Farabow,
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EXAMINER

CARIASO, ALAN B

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,610

Applicant(s)

SATOMI, TAKESHI

Examiner

Alan Cariaso

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 3,7 and 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20031223</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 1 and 6 are objected to because of the following informalities: Claims 1 and 6, "the image", being first introduced should be addressed as --an image--.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by RODDY et al (US 6,636,292).

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5. RODDY discloses an apparatus (figs.3a, 3b, 5a, 5b & 6) comprising: a lens (46, fig.5a) for reading an image; a plurality of light sources (18) staggered (figs.5a & 5b) to a predetermined circular arc that surrounds the lens (46); wherein the apparatus comprises a support board (48) which supports said plurality of light sources (18), and said plurality of light sources (18) are supported at predetermined angles with respect a normal (fig.3b) from the support board (48); wherein the apparatus comprises a diffusion cover (50) to cover said plurality of light sources (18) and diffuse light beams radiated therefrom; wherein the diffusion cover (50) includes a diffusion sheet (50) arrange opposite the plurality of light sources (18).

6. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by KOCH (US 5,038,258).

7. KOCH discloses an apparatus comprising: a lens (1-fig.1, 73-fig.7) for reading an image; and first plurality light sources (3) which are located on a first circular arc (1st set closest to center 10 in fig.3a) that surrounds the lens (1), and a second plurality light sources (3) which are located on a second circular arc (any outer set from center 10 in fig.3a) that has the same center (10) as that of the first circular arc and a radius larger than that of the first circular arc.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over KOCH (US 5,038,258) in view of RODDY et al (US 6,636,292).

10. KOCH discloses the claimed invention except a diffusion cover including a diffusion sheet. RODDY teaches a diffusing optical element (50) at least covering or in the path of the plural light sources for the purpose of reducing speckle from light from the light sources directed at the photosensitive medium. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the lighting apparatus of KOCH and include the diffuser as taught by RODDY in order to reduce speckle in the light directed to the medium being illuminated.

Allowable Subject Matter

11. Claims 3, 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. MORRISON (US 2,609,293) shows a spirally array of light sources about an image lens that form plural arcs relative to radial sector of the board that supports the lights. ARNOLD (US 4,893,223) shows plural nested concentric

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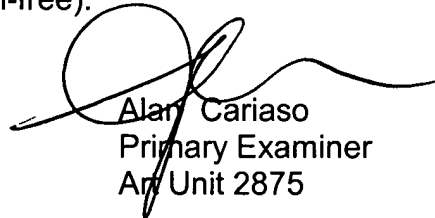
arrays of light sources angularly directed relative to the optical axis of the image lens.

HAAS (US 6,040,895) shows plural arcs or rings of varying diameters (12,14,16) on which are position respective arrays of LEDs (col.4). THRAILKILL (US 5,822,053) shows a plurality of LEDs on a circuit board (fig.2) tilted in various angular positions relative to the normal of the board and directing light towards a diffuser sheet. FOGAL et al (US 5,758,942) show plural LEDs positioned in an arc board (12) around an image lens (2). MAMMEN (US 1,636,141) (fig.4) and CONWAY (US 6,149,283) (fig.10) show plural lights staggered about a circular or arc.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan Cariaso
Primary Examiner
Art Unit 2875

AC
December 12, 2004